

SECOND REGULAR SESSION
SENATE COMMITTEE SUBSTITUTE FOR

SENATE BILL NO. 1074

92ND GENERAL ASSEMBLY

Reported from the Committee on Financial and Governmental Organization, Veterans' Affairs and Elections, March 8, 2004, with recommendation that the Senate Committee Substitute do pass and be placed on the Consent Calendar.

3973S.02C

TERRY L. SPIELER, Secretary.

AN ACT

To repeal section 328.080, RSMo, and to enact in lieu thereof two new sections relating to barber apprentices.

Be it enacted by the General Assembly of the State of Missouri, as follows:

Section A. Section 328.080, RSMo, is repealed and two new sections enacted in lieu thereof, to be known as sections 328.075 and 328.080, to read as follows:

328.075. 1. Any person desiring to practice as an apprentice for barbering in this state shall apply to the board, shall be registered as an apprentice, and shall pay the appropriate fees prior to beginning the apprenticeship. Barber apprentices shall be of good moral character and shall be at least seventeen years of age.

2. Any person desiring to act as an apprentice supervisor for barbering in this state shall first possess a license to practice the occupation of barbering, apply to the board, pay the appropriate fees, complete an eight-hour apprentice supervision instruction course certified by the board, and be issued a certificate of registration as a barber apprentice supervisor prior to supervising barber apprentices.

3. The board may promulgate rules establishing the criteria for the supervision and training of barber apprentices.

4. Any rule or portion of a rule, as that term is defined in section 536.010, RSMo, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all the provisions of chapter 536, RSMo, and, if applicable, section 536.028, RSMo. This section and chapter 536,

RSMo, are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, RSMo, to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2004, shall be invalid and void.

328.080. 1. Any person desiring to practice barbering in this state shall make application for a certificate to the board and shall pay the required barber examination fee. He **or she** shall be present at the next regular meeting of the board for the examination of applicants.

2. The board shall examine the applicant and, upon successful completion of the examination and payment of the required registration fee, shall issue to him **or her** a certificate of registration authorizing him **or her** to practice the trade in this state and enter his **or her** name in the register herein provided for, if it finds that he **or she**:

(1) Is seventeen years of age or older and of good moral character;

(2) Is free of contagious or infectious diseases;

(3) Has studied for at least one thousand hours in a period of not less than six months in a properly appointed and conducted barber school under the direct supervision of a licensed instructor; **or, if the applicant is an apprentice, the applicant shall have served and completed no less than two thousand hours under the direct supervision of a licensed barber apprentice supervisor;**

(4) Is possessed of requisite skill in the trade of barbering to properly perform the duties thereof, including the preparation of tools, shaving, haircutting and all the duties and services incident thereto; **and**

(5) Has sufficient knowledge of the common diseases of the face and skin to avoid the aggravation and spread thereof in the practice of barbering.

3. The board shall be the judge of whether the barber school, **the barber apprenticeship**, or college is properly appointed and conducted under proper instruction to give sufficient training in the trade.

4. The sufficiency of the qualifications of applicants shall be determined by the board.

5. For the purposes of meeting the minimum requirements for examination, the apprentice training shall be recognized by the board for a period not to exceed five years.